

STATE OF IOWA

CHESTER J. CULVER, GOVERNOR PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF EDUCATION JUDY A. JEFFREY, DIRECTOR

Please distribute to all district and area education agency personnel who have responsibility for Comprehensive School Improvement Plans, Annual Progress Reports, and federal programs funded through the Elementary & Secondary Education Act

DATE: August 28, 2009

TO: Administrators of Iowa Public School Districts

FROM: Kevin Fangman, Administrator

Division of PK-12 Education

SUBJECT: Update on No Child Left Behind Requirements

This memo is intended to provide annual information to public school districts of the requirements included in the federal legislation, No Child Left Behind (NCLB). Although this memo is long, it is important that each section is read carefully because the lowa Department of Education (IDE) continually updates the components. Information for which we have received questions from the field or clarifications from the United States Department of Education (USDE) is added each year.

In a few cases, additional clarification has been added to the guidance. This guidance has been marked **CLARIFICATION**. In some instances, language has been revised and has been marked **NEW GUIDANCE**. In other cases, the guidance is significantly different from 2008 or a new section has been added. These headers will indicate **NEW GUIDANCE** and the new information is underlined.

Iowa's Plan

The federal government required each state to submit a consolidated state application accountability workbook that details how each state will implement NCLB. The most recent approved version of lowa's consolidated workbook is located at

http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=655:accountabilityworkbook-application&catid=497:no-child-left-behind&Itemid=1308. A Frequently Asked Questions (FAQ) section is available for your questions about NCLB and/or specific programs at https://www.edinfo.state.ja.us/tcdiscussion/faq_post.asp?q=4.

NCLB Requirements 2009-10 School Year

Test Administration Assurance. <u>CLARIFICATION ADDED IN APPENDIX A</u>
 Assessments used for NCLB purposes need to have an assurance signed by each district superintendent stating that proper and ethical test administration is being followed and that procedures have been reviewed with district administrators. Resources for administrators can be accessed at

http://www.education.uiowa.edu/itp/downloads.aspx under Test Use and Preparation Guidelines.

Questions pertaining to the administration of the Iowa Tests of Basic Skills (ITBS)/Iowa Tests of Educational Development (ITED) have been added to the protocols used on district site visits during the school accreditation process.

Grimes State Office Building - 400 E 14th St - Des Moines IA 50319-0146
PHONE (515) 281-5294 FAX (515) 242-5988
www.iowa.gov/educate

An assurance (See Appendix A) must be signed by district superintendents and returned to Tana Mullen at the Department of Education, Grimes State Office Building, 400 E. 14th Street, Des Moines, Iowa, 50319 by October 30, 2009. A copy of the assurance with an electronic signature may be e-mailed to Tana Mullen at <u>Tana.Mullen@iowa.gov</u>.

- 2. School Report Card (in Iowa—District Annual Progress Report [APR]). NEW GUIDANCE
 Districts must submit a school report card (APR) to the local community, the area education agency
 (AEA), and the IDE. Districts must use the electronic reporting format. It is the responsibility of the
 district to provide the information contained in the APR to its public. Careful consideration should be
 given to providing that information in an understandable format, and to the extent practical, in a
 language that parents can understand. The APR "Print Summary" function will be available for use in
 reporting to the public. The report to the public must include the following information (all available in
 the electronic APR) for the district and all school buildings:
 - Schools are required to include the attached chart (NAEP Attachment) in their school report card. (New Information—See Appendix G). The IDE will add this to the electronic APR template for school districts.
 - Percent of students in each achievement level in reading on the ITBS/ITED (grades 3-8 and 11).
 - Percent of students in each achievement level in mathematics on the ITBS/ITED (grades 3-8 and 11).
 - Percent of students in each achievement level in science on the ITBS/ITED (grades 5, 8 and 11).
 - Achievement data should be disaggregated by race/ethnicity, gender, disability vs. non-disabled status, migrant status, English proficiency status, and economically disadvantaged vs. students who are not economically disadvantaged.
 - Percent of classes not taught by highly qualified teachers.
 - Average daily attendance rate (elementary and middle/junior high school).
 - Other academic indicators, graduation rates or average daily attendance rates compared to state averages, as appropriate, and disaggregated, as appropriate.
 - Percent of students not tested by grade level and content area (disaggregated).
 - > Information on standard error of measures of ITBS and ITED.

For assistance with the electronic APR, contact Holly Barnes at 515-242-6173 or Holly Barnes@iowa.gov.

All districts' student achievement data can be found at www.edinfo.state.ia.us/data/aprchart.asp?s=00090000.

3. Adequate Yearly Progress (AYP) Determinations. CLARIFICATION

The assessments used for accountability are the ITBS (grades 3-8), the ITED (grade 11), and the lowa Alternate Assessment (IAA) (grades 3-8 and 11) for reading and mathematics. ITBS/ITED reading is formally referred to as the reading comprehension subtest. ITBS math is a combination of the "Math Concepts and Estimation" and "Math Problem Solving and Data Interpretation" subtests. ITED math is the "Mathematics: Concepts and Problem Solving" subtest.

lowa is also required to combine the results for grades 3-8 and 11 for AYP decisions. School level AYP decisions are determined by combining all grades at a school site. District level AYP decisions are determined by combining grades 3-5 for the elementary level, grades 6-8 for the middle school level, and grade 11 for the high school level.

Participation: One of the initial steps in determining AYP for schools and districts is to examine participation rates. For accountability purposes, schools and districts must document a minimum of 95 percent participation rate to make AYP. Participation rates are calculated for each school by

combining the number of students assessed in each tested grade and dividing by the combined enrollment for the tested grades at each site. Up to three years of participation data are examined to determine if a school meets participation rate, the state will utilize a weighting procedure to average the data over time. Iowa will continue to use annual data to monitor participation rates for all included grades, with a minimum-n of 40 as the threshold for AYP decisions for each subgroup. For schools not meeting the 95 percent required participation rate, the IDE will average up to three years of (weighted) data (for grades 3-8 and 11) to evaluate the extent to which participation rate requirements have been met. (See Appendix B for flow chart of AYP Participation Determination.)

If a school/district misses either proficiency and/or participation rates, the school/district will be identified as missing AYP.

Proficiency: A subsequent step in determining AYP for schools and districts is to examine proficiency rates. As with participation rates, proficiency rates combine all grades at a school site, or grades 3-5, 6-8 and 11 at a district level. The minimum-n threshold of 30 is used for inclusion of a group in AYP proficiency determinations. Unlike participation rates, proficiency rates are calculated only using results for students who have been enrolled for a full academic year (FAY). For lowa, FAY is determined as being enrolled from the time of testing the previous year, and continuously enrolled through the time of testing the subsequent year. FAY for students participating in the IAA is considered from March 31 of the previous year to March 31 of the subsequent year. Students who move from one level of the system to another (by advancing to the next school building), and this movement is part of the normal matriculation of students in the district, will be considered to have been enrolled at the new site for a FAY for AYP purposes. The following steps were used in 2008-09 to determine whether or not a school or district meets AYP for proficiency:

- A. First, a school or district proficiency index is calculated. The proficiency index is the result of a statistical procedure used to combine the results of different grades to yield a single AYP decision. Data from both the lowa Tests and the IAA are combined for this analysis. A 98 percent confidence interval is used to determine if a school or district meets the achievement target for mathematics or reading.
- B. If the proficiency index is not met within the confidence interval, Safe Harbor is examined to determine if a school/district meets AYP. Safe Harbor requires a 10 percent or greater reduction in the percentage of non-proficient students from the previous year to the current year.
- C. If Safe Harbor is not met, a average of student achievement data for last year and this year (2009-10 and 2008-09) is conducted, using a 98 percent confidence interval. This is known as a biennium data check. This is done for all groups missing AYP using the proficiency index or Safe Harbor.
- D. If the current proficiency target is not met using biennium data, a weighted average of data for 2009-10, 2008-09, and 2007-08 is conducted for grades 4, 8, and 11 only, using a 98 percent confidence interval. This is known as a triennium data check. This is done for all groups missing AYP using the proficiency index, Safe Harbor, or the biennium data check.
- E. If a school or district misses the proficiency target after an analysis of triennium data, the school or district misses AYP. Minimum-n does not apply for Safe Harbor, biennium, and triennium data. Calculations are performed on the available data.

(See Appendix C for flow chart of Proficiency Determination.)

The lowa Growth Model: The USDE approved lowa's proposal to use a growth model in making AYP decisions. According to this model, a student who scored as non-proficient in 2008-09 and who scored non-proficient again in 2009-10, but has moved at least one achievement level, has met Adequate Yearly Growth (AYG). Because these students have made significant progress toward achieving proficiency, they may be included with a school's or district's count of proficient students. Thus, the AYP decision process is modified to incorporate these students who have made growth.

The steps of the entire AYP process are:

- A. Evaluate AYP status; uses a proficiency index, uses a confidence interval.
- B. Evaluate Safe Harbor.
- C. Evaluate AYP status; uses a proficiency index, two years of data, uses a confidence interval.
- D. Evaluate AYP status; uses three years of data for grades 3-8 and 11; uses a confidence interval.
- E. Add the students who met AYG to the number of proficient students in each grade level, content area, and subgroup.
- F. Evaluate AYP growth; uses a proficiency index for grades 3-8, NO confidence interval.
- G. Evaluate Safe Harbor.
- H. Evaluate growth; uses a proficiency index for grades 3-8, two-years of data, NO confidence interval.
- I. Evaluate growth; uses three years of data for grades 3-8, NO confidence interval.

A school or district that does not meet AYP after this series of steps is placed on the "watch" list (for one year of missing AYP), or the schools in need of assistance (SINA) list (for two or more years of missing AYP in the same content area). Keep in mind, once placed on the SINA list, it takes a school or district two consecutive years of making AYP to be removed from that list.

Intermediate Goal: For 2009-10, lowa's accountability plan will use the same grade level targets to make AYP decisions as 2008-09. These are identified in the following table:

	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11
Reading	74.1	76.0	76.4	69.7	71.5	73.3	79.3
Mathematics	73.9	74.7	76.6	72.8	72.0	72.0	79.3

Other Academic Indicators:

The final step in determining whether a school or district meets AYP is to examine the other academic indicators (OAI). The OAI include: (1) K-8 average daily attendance rate, where a **school and district** must meet the state average daily attendance (ADA) rate, or improvement over the previous year's attendance rate, and (2) graduation rate, where a **school and district** must meet the trajectory target determined by the State Board of Education's goal of 95 percent by 2013-14, or improvement over the previous year's graduation rate. In order for a district to miss the OAI, the district must not meet both targets (attendance rate and graduation rate). (See Appendix D for flow chart of Other Academic Indicators District Determination.)

Graduation Rate: **NEW GUIDANCE**

Graduation rates for the 2008-09 school year are compiled at the state level from Project EASIER data. The information for graduation rates is from data certified from the fall 2004 to spring 2008 Project EASIER collections. These rates will be available to districts in February 2010.

In order to use graduation rates as an OAI for high school, the IDE will apply a <u>four-year cohort</u> graduation rate, modeled after the National Governors Association (NGA) compact rate, which is only minimally different (0.9 percent) from the currently approved National Center for Education Statistics (NCES) "leaver rate" for each high school, as defined in lowa's approved NCLB Accountability Workbook. Of lowa's 361 school districts, only nine have more than one high school. As such, the district graduation rate will not vary from the high school graduation rate for the single high school districts. Thus, lowa will have an OAI for all high schools in the state, and for all subgroups.

The graduation rate is calculated in the following manner:

- Dividing the number of on time graduates in 2008 by the number of 9th graders enrolled in the fall of 2004.
- Subtracting the number of students who transferred out plus the total number of students who transferred in.

The formula allows for an adjustment for special education students who take longer to graduate and early graduates who are in and out of the cohort.

lowa's State Board of Education has identified a graduation rate of 95 percent as the end goal. The state average for the 2002-2003 school year was 89.4 percent. School districts and schools with graduation rates less than the state average will be expected to increase each year. A school or district can meet the graduation rate indicator by:

- A. Meeting the state target;
- B. Increasing the graduation rate over the previous year; or

The following targets have been identified as annual targets for graduation rates:

 2008-2009:
 91.3%

 2009-2010:
 91.3%

 2010-2011:
 92.2%

 2011-2012:
 93.1%

 2012-2013:
 94.1%

 2013-2014:
 95.0%

The trajectory defined by these targets is coincident with the trajectories for the Annual Measurable Objective (AMO) (achievement targets). These targets, like AMOs, will be used to gauge the progress for all students, as well as for each subgroup.

lowa takes the following steps in making AYP decisions regarding graduation rates:

- 1. Compare the school district/schools' four year graduation rate to the 91.3 percent target.
- 2. <u>If the local education agency (LEA) had a four-year graduation rate below 91.3 percent, the IDE compares their three-year rate to their 2007 three-year rate.</u>

If the LEAs three-year rate is greater than their 2007 three-year rate, then the LEAs will make AYP.

Attendance Rate:

Attendance rates are compiled at the state level from Project EASIER data. The information certified in the 2009 spring Project EASIER data collection is used to determine attendance rates for the 2007-08 school year. Attendance rates for the 2008-09 school year will be available to districts in February 2010.

Definition of a New School: In Iowa, a school would be considered a new school if the enrollment change (due to realignment of grade structures) results in 50 percent or more new students from the previous year or enrollment decreases resulting in 50 percent or fewer of the former students remaining. In such situations, AYP determinations will begin anew. In the event of school mergers containing the same grades, the IDE will consider the AYP of the buildings merging.

- A. If the receiving site has the majority of students, and the site was previously identified as missing AYP, that status will continue, regardless of the status of the sending site.
- B. If the sending site has the majority of students, and the site was previously identified as missing AYP, that status will continue, regardless of the status of the receiving site.
- C. If a new physical facility is opened, the AYP status of that site will be that of the sending site with the majority of students. Simply opening a new school does not enable districts to avoid AYP identification.

4. Schools (Buildings) in Need of Assistance (NCLB Definition). NEW GUIDANCE

Any public school in lowa may be identified as a SINA. Title I schools identified as a SINA by the state and district will have a support team composed of AEA staff assigned to the school to assist in defining needs, and in preparing an improvement plan and budget that must be approved by the IDE. If schools do not wish to access the services of the team, the district must demonstrate to the IDE that technical assistance will be provided to the identified schools. Districts must also notify their

community of the school identification and efforts being taken at the school and district level to improve student achievement at the school site; and if the schools are Title I schools, they must offer public school choice within their district during the time the school is identified. Title I SINA must notify parents of the school choice options and the level of achievement at those schools. If a Title I school does not make the AYP goal for the third consecutive year, supplemental services must be offered to students. This information must be included in the school district report card referred to in Iowa as the APR. (Specific actions to be followed for parental notification, choice, and supplemental services have already been sent to the schools identified for the 2009-10 school year.) It is important to remember that the notification templates to parents found on the IDE website at http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1461:ayp&cati d=497:no-child-left-behind&Itemid=2538 must not be altered. When school choice and supplemental services are required, 5 percent of the Title I funds must be set aside for each sanction with a maximum of 20 percent at the district level for Title I identified schools. Once a school is identified, it must make AYP for two consecutive years before the SINA designation is removed. Achieving AYP for one year provides a delay status in additional sanctions, but the school remains identified as a SINA.

If a public school chooses to add Title I services for the 2009-10 school year, the Title I NCLB sanctions listed below will apply depending on the status of your school in its July 2009 AYP notification.

- A. <u>If the school is not on Watch or SINA status, the school will not be on Watch or SINA status for the 2009-10 school year.</u>
- B. <u>If the school is placed on Watch status, the school will begin the 2009-10 school year as</u> Watch status.
- C. If the school is a SINA school at the end of the 2008-09 school year, regardless of having been identified for multiple years, the school will begin the 2009-10 school year at the SINA 1 status.

Schools that leave Title I status and return within a three-year period will return to Title I status with the AYP rating that is current at the time of return to Title I status. The steps outlined above will not apply. If you have any additional questions on this process, please contact Paul Cahill at Paul.Cahill@iowa.gov or 515-281-3944.

The state will continue to pre-populate a web-based collection system with the annual student achievement and participation data. Districts will continue to add any additional data required for identification and provide verification of data to the state for AYP.

5. District In Need of Improvement. NEW GUIDANCE

All districts receive Title I funds in Iowa and thus are subject to the NCLB requirements of meeting AYP. A school district must meet AYP for reading and mathematics separately. AYP must be met by all grade spans required for testing and subgroups within these grade spans. If AYP is not met for two consecutive years, the district will be designated as a district in need of improvement. Adequate yearly progress also includes the OAI of graduation rate (grades 9-12) and average daily attendance (grades K-8). This designation for year one and two requires a school district to file an improvement action plan with the IDE. This action plan is contained within the Comprehensive School Improvement Plan with a required addendum to meet the requirements of NCLB. This addendum must be filed by December 18, 2009.

Districts identified as year three will be notified of the additional requirements through a separate mailing directly to the superintendent. Identified districts must also set aside 10 percent of Title I funds for professional development if identified for reading and/or mathematics. <u>Districts identified as year three AND not meeting the requirement of 100 percent highly qualified teachers (HQT) will now enter into a 2141c agreement with the IDE. These districts will be notified of their status by Marietta Rives and sent a 2141c agreement that requires that at least some of the Title II, Part A funds must be spent</u>

addressing the needs of the non-HQT who are keeping the LEA from meeting the requirement of 100 percent Highly Qualified Teachers.

6. Assessment, Participation, and Reporting. CLARIFICATION

NCLB requires that all students in grades 3-8 and 11 must be tested in reading and mathematics if they are <u>enrolled in</u> school on the day of testing. <u>ITBS/ITED reading is formally referred to as the reading comprehension subtest. ITBS math is a combination of the "Math Concepts and Estimation" and "Math Problem Solving and Data Interpretation" subtests. ITED math is the "Mathematics: <u>Concepts and Problem Solving" subtest.</u> Districts must test all students in grades 5, 8, and 11 in science using the ITBS, ITED, or the IAA for the most significantly cognitively disabled students.</u>

Testing windows for ITBS and ITED are established by Iowa school districts in accordance with Iowa Testing Programs' guidelines. NCLB also requires that schools and districts provide assistance to parents in understanding state student academic achievement standards. Interpretative leaflets for each of the required assessed grade levels are available at http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=653&Itemid=1318

The AYP data reported must include the number of students not tested by grade levels and content areas, and then by the subgroups of gender, race/ethnicity, Individualized Education Program (IEP), migrant, socioeconomic status (SES), and English language learners (ELL). Note: gender, migrant, non-migrant, non-low SES, non-IEP, and non-ELL are all required reporting elements according to NCLB, but are not used for AYP decision purposes. The minimum number of students in a subgroup for proficiency (Annual Measurable Objective-AMO) is 30 and the reporting number is 10.

Scores reported must be the scores that are established the first time the test is taken within a school year. If a school or district administers an lowa Test for a second time within the same school year, the scores from the first administration are those that count for accountability purposes. Scores for AMO are only counted if the student has been in attendance for a FAY. Student scores for AMO are returned to the district of residence, except for open enrollment and whole-grade sharing. Students placed by Department of Human Services and/or by the courts will have their data counted at the state level only (not at the district or school level). Please refer to the decision matrix located at http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=654:nclb-procedures-guidance-a-policy&catid=497:no-child-left-behind&Itemid=1316.

An informational program to assist Iowa educators in making sound decisions regarding activities associated with preparing students to take the ITBS or ITED is located at http://www.iowa.gov/educate/index.php?option=com content&task=view&id=977&Itemid=1311 or http://www.education.uiowa.edu/projects/testprep/.

This informational program, designed by Dr. Kris Waltman of The University of Iowa Center for Evaluation and Assessment, is accessible for use by Iowa educators. The lessons can be delivered in group settings with opportunities for discussion; however, individuals can also access and complete the curriculum. At the conclusion of the program, educators should have greater understanding of how criteria related to academic ethics, score meaning and use, and educational value are connected to test-preparation activities.

Districts have been provided \$6.50 per student for assessment-related activities. These assessment and accountability funds may be used to defray costs related to assessment system development, including purchase of assessments utilizing multiple formats and approaches; professional development regarding test administration, interpretation, and use of results; and development and maintenance of data management systems. When purchasing assessments, it is important to remember that not all students respond to a single format in the same way. As such, utilizing multiple formats not only provide opportunities for students to demonstrate their achievement in different ways, but also enables a district to assess standards and benchmarks that might be limited by a

traditional selected response format. An allocation table and budget forms are posted to the IDE website at

http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=676&Itemid=1668.

7. Students with Disabilities - District-wide Assessments.

Each student, grades 3-8 and 11, with an IEP must be assessed in reading, mathematics, and science. The majority of students with an IEP are able to participate in the Iowa Tests with or without accommodations. However, for students with the most significant cognitive disabilities, the IAA is available. This participation is determined by the IEP team. Guidelines for alternate assessment can be found at http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=461&Itemid=1396#Guides.

These students will continue to be monitored and tracked after they exit the program using the State student database system (Project EASIER). This will allow schools and districts to report accurate achievement progress on the special education subgroup.

8. Students with Disabilities. REVISED TIMELINES

The IAA is based on alternate academic achievement standards. Students with IEPs in grades 3-8 and 11 who are unable to participate in the regular district-wide assessments for accountability must be provided an alternate assessment. The IEP team makes this determination. The IAA is based on the same core content standards and benchmarks corresponding to the lowa Tests. However, the results of the IAA are based on alternate academic achievement standards that were developed through a standard-setting process.

The IAA promotes fair measurement of student knowledge of the lowa Core Content Standards and Benchmarks through the use of reading and mathematics rating scales. Teacher ratings are based upon instruction throughout the assessment period (September 1 – March 31, 2010). Ratings are supported by student evidence generated as a result of instruction. For AYP purposes, a FAY for a student participating in the IAA will continue to be March 31 of the preceding year, with continuous enrollment through March 31 of the current year. The IAA results for reading and mathematics will be included with AYP determinations.

Scores from the IAA are included in the total percentage of students who are counted in the participation and proficiency rates at the school and district levels. **No more than 1 percent of the combined sum of all students in grades 3-8 and 11 can be included in the IAA proficiency results.** If the number of students participating in the IAA exceeds the district's 1 percent level, the district must request an exception from the IDE. The IDE will contact districts and provide the exception form. This exception must be filed with the Division Administrator, Division of PK-12 Education, 400 E 14th St, Grimes State Office Building, Des Moines, Iowa 50319.

Important Timelines

September 1: IAA process begins

September 1 – October 31: Complete student profile (this will remain open during the assessment

period for new students)

September 1 – March 31: Quality Instruction

February 15 - March 31: Enter rating scale data, teacher survey, and complete assurance form

online

May 3: Evidence Audit Notification
May 21: Evidence due to the Department

Reporting to Parents

Print off-line report and share results with parents. Results must be shared with parents in the same manner as results are shared with parents of students in the general assessment.

For additional information, visit the IDE website at http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=461&Itemid=1396#Guid es or contact Steve Maurer at 515-281-3576 or Steve.Maurer@iowa.gov.

9. Out-of-Level Testing. NEW GUIDANCE

Per USDE guidance and federal regulations (Title I and Individuals with Disabilities Education Act [IDEA]), it is no longer permissible to allow students with disabilities to take the test in reading and/or mathematics at a grade level below that in which they are enrolled. This is also no longer an acceptable accommodation on a student's IEP. If a district allows a student to take a test below grade level, that student cannot be counted as a participant or as proficient for the purposes of NCLB or IDEA accountability. In addition, districts that continue this practice may be held accountable for noncompliance under IDEA, and the state could face negative financial consequences. Students taking an out-of-level test above the grade level in which they are enrolled are to be counted as participants and as proficient, if applicable. The IDE has submitted a letter to the USDE strongly disagreeing with this policy and will continue to advocate for a change in this guidance.

10. Migrant Education. NEW GUIDANCE

As a result of the Federal Migrant Education monitoring visit conducted in May 2009, it was determined that Iowa school districts must complete a Certificate of Eligibility (COE) http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=665&catid=520&Itemid=1653#coe on ALL students identified as migrant according to the Federal definition. This requirement applies to every district that identifies migrant students on Project EASIER regardless of whether the district receives Federal Migrant Education funding.

All COEs must be sent to the State Migrant Education Program Coordinator (Donna.Eggleston@iowa.gov) for review and approval. Upon review and approval, districts will be notified as to the migrant students who are eligible for free meals through your school lunch program. Ineligible students cannot receive free meals.

If you have any questions about this new requirement, please contact Donna Eggleston at 515-281-3999 or Donna.Eggleston@iowa.gov.

11. Appropriate Accommodations for ELL.

Districts must keep track of accommodations used during the administration of the ITBS and ITED for students identified as ELL. The IDE will continue to electronically collect this information from all public school districts on the AYP reporting site. Appropriate accommodations can be found at: http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=683&Itemid=1391.

Accommodations for ELL students must fall into one or more of the following four categories:

- Presentation (e.g., repeat directions, read aloud, etc.)
- Response (e.g., mark answers in book, use reference aids, point, etc.)
- Setting (e.g., study carrel, separate room, etc.)
- > Timing/scheduling (e.g., extended time, frequent breaks, etc.)

12. English Language Learners Academic Proficiency. NEW GUIDANCE

All ELLs, regardless of time in a language instructional program and level of proficiency in English, must be assessed annually in the areas of reading and mathematics. There is some flexibility for recently arrived ELLs (those who have been enrolled in United States schools for less than 12 months for one test administration). For recently arrived ELLs, LEAs can count the reading score from the English language proficiency test as participation in the reading test. Recently arrived ELLs are still required to take the district-wide math assessment.

All students identified as ELL and provided ELL services are permitted to be included as part of the ELL student group for AYP determinations at the school and district level. After ELL students are determined to be proficient, no longer receive services, and exit the program, they will continue to be

monitored using the State student database system (Project EASIER). This will allow schools and districts to report accurate achievement progress on the ELL subgroup.

13. English Language Learners Students' English Proficiency. NEW GUIDANCE

Currently, lowa districts are using the English Language Development Assessment (I-ELDA). Subgrantees (AEAs and only two school districts) are required to report the percentage of ELL proficiency each school year. These data will be collected by the IDE using a web-based application. All ELLs (K-12) must participate in the English language proficiency testing on their listening, speaking, reading, and writing skills each year. (Any student who has not exited an ELL program must be assessed. This includes students who are considered "in-transition" and may not be receiving ESL instruction. "Comprehension scores" are required, but there is no separate test for comprehension. It is a combination of scores from listening and reading.

14. State Assessment Funds and I-ELDA Testing and Screening. NEW GUIDANCE

School districts have been allocated \$6.50 per student for assessment related activities. The IDE has been informed by the USDE that Title III funds can no longer be used to fund I-ELDA testing. The IDE will fund this expense for the 2009-10 school year. The amount of financial support the IDE can allocate to support this testing will be determined annually. LEAs will not receive funds for the exam costs directly. LEAs will continue to order exams through Northwest AEA, and in turn, Northwest AEA will bill the IDE for the exams.

Districts and AEAs will no longer be able to use Title III funds for the purchase of placement or screener exams for incoming students who may need Title IIII services. Local districts may use the LAS and IPT exams to screen and place students, however, districts must now incur the costs. The IDE is developing a low cost screener to help reduce the cost of determining an incoming student's English language abilities and need for service.

15. Language Library.

NCLB requires school districts to provide information to families in an understandable and uniform format to the extent practicable in a language the parent can understand. Districts may access the Language Library at

http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=530:transacteduportal &catid=460:learning-supports&Itemid=1300. The TransACT NCLB Parent Communication Center is a comprehensive suite of online services for school district personnel that integrates these services:

- Translation Library of General Education forms in 22 languages (also known as the Iowa Language Library)
- NCLB Parent Notifications in English, plus Accountability and Compliance Guides

16. Subgroup Coding. <u>NEW GUDIANCE PENDING</u>

All students must be documented through a subgroup report. Coding for subgroups is completed on the Iowa Test answer forms. The USDE is requiring the re-identification of all student race and ethnicity. The IDE is working on how these changes will impact AYP determininations. The IDE will issue further guidance when new coding has been finalized.

17. Notification to Parents Concerning Highly Qualified Teachers/Paraprofessionals. <u>NEW GUIDANCE</u>

All districts receiving Title I funds must notify parents in Title I funded schools that they may request information on their child's teacher's qualifications. Information, at a minimum, must be provided that addresses the licensing requirements for the position held by the teacher, the licensure status, and educational background of the teacher. The availability of this information must be included in a formal notification through a newsletter, note to parents, etc. Suggested wording for the notification is included in Appendix E. If the child also receives services from an instructional paraprofessional, the parents should be notified and informed of the paraprofessional's qualifications upon request.

The superintendent must notify the IDE of all non-highly qualified teachers, send a notice home to parents of students in that teacher's class (Appendix F) and send a copy of that notice to Marietta Rives at Marietta.Rives@iowa.gov. Information about licensure of lowa teachers can be found at http://www.state.ia.us/boee/.

When any child is provided a substitute teacher for <u>four consecutive weeks</u> in a school that receives Title I funds and the substitute does not meet the highly qualified teacher definition, the school must notify parents of this situation. (Appendix F is also used in this instance.)

18. Highly Qualified Teachers. NEW GUIDANCE

Districts report the number of "highly qualified" teachers on the fall BEDS report. Any teacher hired after the first day of the 2002-03 school year and supported by Title I (A) and Title II, Part A funds must be "highly qualified." This information can be found at http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=659&Itemid=1650. Each LEA receiving Title I funds is required to ensure all teachers of core academic subjects are highly qualified. The core academic areas are English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, art, history, and geography. These areas apply to all elementary and secondary teachers who are teaching in facilities or schools under the authority of the local school district. A special education teacher who teaches any of these academic areas must have the state-required endorsement for the subject area, or the academic subject (curriculum) must be considered under the supervision of a teacher who is licensed appropriately for the academic area. If an LEA did not already have highly qualified teachers in the core academic areas, the LEA must develop a plan to ensure that all teachers will be highly qualified. The IDE will follow-up with individual districts who have written plans because all of their teachers are not "highly qualified" under federal quidelines. This plan must be on file at the local district level. Title II (A) funds may be used to assist teachers in becoming highly qualified.

Names and folder numbers of all teachers supported by Title II, Part A funds will be reported to the IDE through the Title II. Part A budget application that is due no later than October 23, 2009. Districts must suspend use of Title II, Part A funds for any teacher that does not meet the highly qualified status requirement.

19. Paraprofessionals.

Title I funded paraprofessionals and all instructional paraprofessionals in Title I school-wide schools must meet NCLB highly qualified requirements. (See http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=659&Itemid=1650) Information on qualified paraprofessionals is collected on the annual Title I application.

20. Professional Development.

Districts must provide professional development that incorporates scientifically-based research into Title I targeted assistance and school-wide programs, Title II (A), Title III, and Title IV (A) Safe & Drug Free School programs. Federal funds most commonly used to increase the proficiency of students in reading and mathematics are Title II (A).

21. Technology Literacy.

Each district receiving Title II (D) (E2T2) funds directly, or receiving services within a consortium as a result of E2T2 funds, must also define 8th grade technology literacy. There is no state or federal definition of "technology literacy." The definition is to be determined locally. (Your AEA media director can assist in this definition.) The USDE has notified states that local districts must report the total number of 8th grade students and the number who demonstrate a locally determined proficiency of "technology literacy." On the spring BEDS report, districts provide the total number of 8th graders and the number that meet the locally determined definition of demonstrating technology literacy.

22. Free and Reduced Lunch Status.

As districts and schools continue to implement programs, strategies, and efforts to improve the

academic achievement of all students, there is continued emphasis on the students who comprise a subgroup membership. The Richard B. Russell National School Lunch Act established requirements and limitations regarding the release of information about children eligible for free and reduced price meals. The names of individual children certified for free and reduced price meals and the child's eligibility status can be released only to persons directly connected with the administration or enforcement of a federal or state education program. These programs include Title I, the National Assessment of Educational Progress, Carl D. Perkins Vocational and Technical Education Act of 1998, or NCLB. Eligibility status may be disclosed for these purposes only, without parental consent. Release of the information for any other purpose (i.e., eligibility for camp scholarships, holiday baskets, or student fees) requires a signed waiver from the parent or guardian. Students who receive free or reduced meals must have their eligibility status protected from public disclosure. There are financial penalties associated with any unauthorized disclosure of the status of students eligible for free and reduced price meals. All staff must remember that free and reduced eligibility cannot be shared in any public manner that would cause embarrassment or identification of an individual student or family to other students, staff or the public and can only be used for authorized purposes.

23. Safe Schools.

Districts must inform all students and their parents of this option when a transfer option is available in the district. Districts must offer a student victim of a violent criminal offense an opportunity to transfer to another school within the district if available.

24. Suspensions and Expulsions.

Districts report student suspensions and expulsions in Project EASIER. The Project EASIER Data Dictionary details the requirements.

25. Title IV, Part A- Performance Measures and Indicators. FUNDING ALERT

Districts report progress on Safe and Drug-Free Schools and Communities performance measures and indicators on their Title IV, Part A budget. <u>The 2009-2010 school year may be the last year for Safe and Drug-Free Schools and Community Funding.</u>

26. Waivers Related to Title I, Part A, ARRA Funds. NEW GUIDANCE

The IDE has applied for Title I set-aside funding waivers on behalf of lowa's local school districts to the U.S. Secretary of Education. A brief description of each of these waivers is posted at http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1731&Itemid=2552#w aivers. Once these waivers have been approved for the State of lowa, local school districts will then apply for the waivers directly from the IDE. Information regarding the district waiver application process will be available on the IDE website at http://www.iowa.gov/educate/index.php?option=com_content&view=article&id=1731&Itemid=2552#w aivers

If you have any additional questions on this process, please contact Paul Cahill at Paul.Cahill@iowa.gov or 515-281-3944.

What Federal Programs are Included in NCLB?

Program	Title	IDE Contact		
Title I, Part A	Improving Basic Programs Operated by	Paul Cahill		
	Local Educational Agencies	Paul.Cahill@iowa.gov		
Title I, Part B	Subpart 1—Reading First	Christine Rauscher		
		Christine.Rauscher@iowa.gov		
Title I, Part B	Subpart 3—Even Start Literacy Programs	Tom Rendon		
		Tom.Rendon@iowa.gov		
Title I, Part C Education of Migratory Children		Donna Eggleston		
		Donna.Eggleston@iowa.gov		
Title I, Part D	Prevention and Intervention Programs for	Rick Bartosh		
	Children and Youth Who are Neglected,	Richard.Bartosh@iowa.gov		
	Delinquent, or At-Risk			
Title I, Part F	Comprehensive School Reform	Rita Martens		
		Rita.Martens@iowa.gov		
Title II, Part A	Teacher and Principal Training and	Marietta Rives		
	Recruiting Fund	Marietta.Rives@iowa.gov		
Title II, Part D-1	Enhancing Education Through Technology	Vic.Jaras		
		Vic.Jaras@iowa.gov		
Title III	Language Instruction for Limited English	John Scott		
	Proficient	John.Scott@iowa.gov		
Title IV, Part A-1	Safe and Drug-Free Schools and	Cyndy Erickson		
	Communities	Cyndy.Erickson@iowa.gov		
Title IV, Part B	21 st Century Community Learning Centers	Joe Herrity		
		Joe.Herrity@iowa.gov		
Title V, Part A	Federal Funds Were Eliminated in 2008.			
	Regulations are still in effect.			
Title VI, Part A	State Assessment Funds	Paul Cahill		
		Paul.Cahill@iowa.gov		
Title VI, Part B	Rural Education Achievement Program	Mary Beth Schroeder Fracek		
	(REAP) and Transferability of Funds	MaryBeth.SchroederFracek@iow		
		a.gov		

Budget applications for the above programs can be found at http://www.state.ia.us/educate/ecese/nclb/budget.html

Rural Education Achievement Program (REAP).

School district eligibility for this program is determined each year by the USDE. The list of eligible lowa school districts can be found at http://www.ed.gov/programs/reapsrsa/eligible07/ia.xls.

Transferability of Funds for LEAs.

Title VI (A) (2) allows LEAs to transfer up to 50 percent of NCLB formula grant funds among four programs: Title II (Part A), Title II (Part D), Title IV (Part A), and Title V. Funds may also be transferred into, but not from, Title I (Part A). All LEAs, not covered by REAP and not identified as a district in need of improvement, may take advantage of this flexibility. A district that has been identified as a DINA, may only transfer up to 30 percent of each fiscal year's funds it receives by formula. If an LEA is identified for corrective action, it may not transfer any funds. Even though a district may transfer 50 percent of the funds into another program, the program requirements for all of the programs still remain because there are still funds attributed to each program. Districts must notify the IDE 30 days in advance of any fund transfers; districts will document transfers through the Title II (A), Title IV (A), and Title V applications for the 2009-10 school year.



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF EDUCATION JUDY A. JEFFREY, DIRECTOR

Test Administration Assurance for 2009-2010 Assurance for Proper and Ethical Test Administration

ADMINISTRATION OF TESTS

In the administration of standardized tests, it is a violation of test security to do any of the following:

- 1. Provide inappropriate test preparation such as any of the following:
 - a. Copy, reproduce, or use in any manner any portion of any secure test booklet, for any reason.
 - b. Share an actual test instrument in any form. This includes using old copies of the ITBS/ITED.
 - c. Use test preparation materials or strategies developed specifically for Annual Progress Reporting or the Annual Yearly Progress report.
- 2. Deviate from the test administration procedures specified in the test examiner's manual.
- 3. Provide inappropriate assistance to students during the test administration.
- 4. Make test answers available to students.
- 5. Change or fill in answers on student answer documents.
- 6. Provide inaccurate data on student answer documents.
- 7. Engage in any practice to artificially raise student scores without actually improving underlying student achievement.
- 8. Participate in, direct, aid, counsel, assist, encourage, or fail to report any of the acts prohibited in this policy.

After testing is completed, test booklets are to be returned according to procedures outlined by lowa Testing Programs in the materials.

CONSEQUENCES OF TEST ADMINISTRATION VIOLATIONS

If a violation of test administration protocol occurs, as determined by the superintendent following an investigation of allegations of irregularities, the superintendent shall determine whether the integrity of the testing program has been jeopardized, whether some or all of the test results are invalidated, and whether a teacher or administrator has violated the Code of Ethics of the Iowa Board of Educational Examiners as found at 282—Iowa Administrative Code, Chapter 25.

Reports of students cheating on assessments shall be submitted to the building principal for investigation and disciplinary procedures.

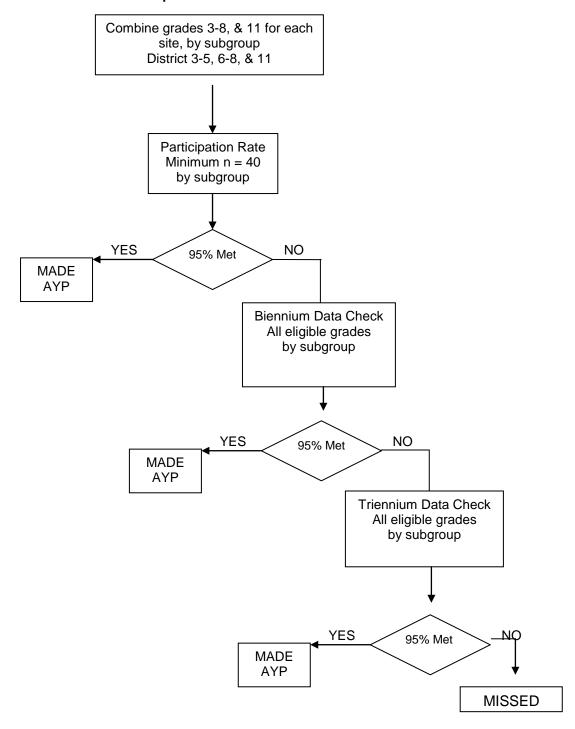
A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law and Board policy. If the staff member is a licensee of the Board of Educational Examiners, the superintendent shall make a timely report to that Board.

If the superintendent believes that assessment red Department of Education.	esults are invalid, the superintendent shall r	make a timely report to the lowa		
I,	, Superintendent of	School District		
(Superintendent's Name)	(Name	(Name of School District)		
assure that proper testing procedures and admin Left Behind Act are followed in my school district these guidelines and notify the Iowa Department	. I will take appropriate steps outlined above			
Superintendent's Signature	-	Date		
Return this form by October 30, 2009, to:	Tana Mullen Iowa Department of Education Grimes State Office Building 400 E. 14 th Street Des Moines, IA 50319			

Tana.Mullen@iowa.gov

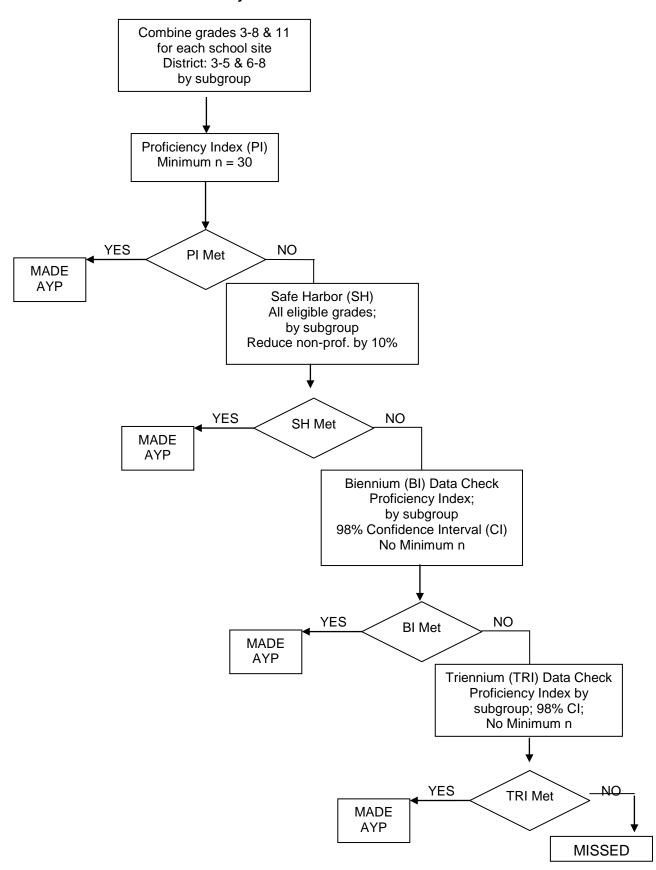
Appendix B

Adequate Yearly Progress (AYP) Participation Determination for 2009-10



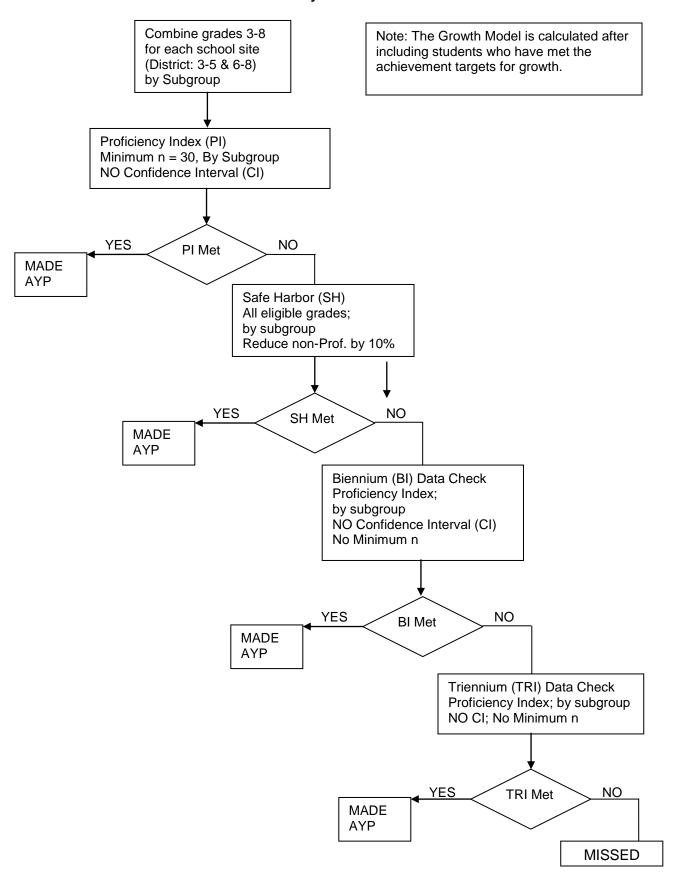
Appendix C

Adequate Yearly Progress (AYP) Status Model Portion Proficiency Determination for 2009-10



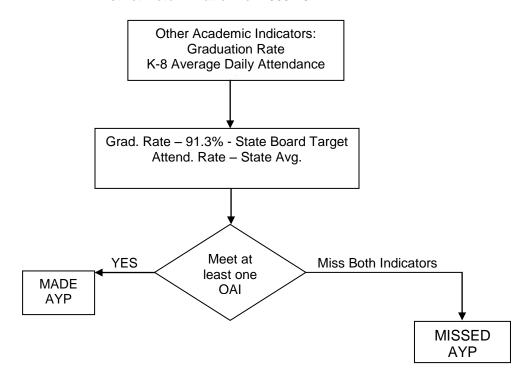
Appendix C

Adequate Yearly Progress (AYP) Growth Model Portion Proficiency Determination for 2009-10



Appendix D

Adequate Yearly Progress (AYP) Other Academic Indicators District Determination for 2009-10



Appendix E

Sample Parent Notification No Child Left Behind Requirement

Parents'/Guardians' Rights Notification

Parents/Guardians in theabout the following qualifications of their child's teacher and content areas taught, the current licensing status of certification/degree. You may also request the qualifications serves your student in a Title I program or if your schools are the content of t	f your child's teacher, and baccalaureate/graduate tions of an instructional paraprofessional who
Parents/Guardians may request this information from the	ne Office of the Superintendent by calling
or sending a letter of requ Address, City, State Zip.	uest to Office of the Superintendent, Street

SAMPLE Parent Notification Letter Non-Highly Qualified Teacher (Includes Substitute for More than Four Weeks)

Date
Dear Parents and Guardians:
The federal No Child Left Behind Act of 2001 (NCLB) requires all schools to notify parents or guardians after a class has been taught for four consecutive weeks by a teacher who is not considered "highly qualified" for that specific subject area. While there are a variety of ways in which a teacher can demonstrate that he or she is "highly qualified" in a given subject, the requirement is considerably more difficult to meet for a teacher who is responsible for teaching several core subject areas.
The purpose of this letter is to inform you that Mr./Mrs is not considered "highly qualified" under NCLB in one or more subject areas being taught to your child.
Please be assured that this does not mean that this teacher is not qualified for this assignment. Mr./Mrs does meet the state requirements for this position. Given his/her professional preparation and experience, we believe that your child is receiving a high-quality education in his/her class. (Additional information may be added at the districts discretion.)
If you have any concerns regarding this information, you have a right as a parent to review the qualifications of your child's teachers. Please contact at at if you have any questions.
Sincerely,
Superintendent

NAEP Information for School Report Cards

National Assessment of Educational Progress (NAEP) 2007: Average Scale Score and Percent of Students at Each Achievement Level for Iowa and the Nation

and referr of Students at Each Achievement Level for lowa and the Mation						
	Average Score	Below Basic	Basic	Proficient	Advanced	
Reading - Grade 4						
lowa	225	26%	38%	29%	7%	
National Public	220	34%	34%	24%	7%	
Reading - Grade 8						
lowa	267	20%	44%	33%	2%	
National Public	261	27%	43%	27%	2%	
Mathematics - Grade 4						
lowa	243	13%	44%	38%	5%	
National Public	239	19%	43%	33%	5%	
Mathematics - Grade 8						
lowa	285	23%	42%	28%	7%	
National Public	280	30%	39%	24%	7%	

SOURCE: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), 2007 Assessment.

Note: NAEP "Percent At or Above Basic" is the most directly comparable statistic for ITBS/ITED "Percent At or Above Proficient."

Inclusion Rates (Percent Included in the Assessment)

Cubaraua	Jurisdiction	Rea	ding	Mathematics		
Subgroup		Grade 4	Grade 8	Grade 4	Grade 8	
Students with Disabilities	Iowa	69.6	71.6	90.0	84.7	
	National Public	65.6	65.6	80.4	70.1	
Limited English Proficient Students	Iowa	72.9	74.3	96.1	97.2	
	National Public	80.0	77.3	92.3	88.9	

SOURCE: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), 2007 Assessment.

The National Assessment of Educational Progress

Background

The National Assessment of Educational Progress (NAEP) is the only nationally representative, continuing assessment of what students in the United States know and can do in school. For over three decades, NAEP assessments have been conducted periodically at the fourth, eighth, and twelfth grades in reading, mathematics, science, writing, U.S. history, civics, geography, and other subjects. NAEP is a congressionally mandated project of the National Center for Education Statistics (NCES) within the Institute of Education Sciences of the U.S. Department of Education. By collecting and reporting information on student performance at the national, state, and large urban district levels, NAEP is an integral part of our nation's evaluation of the condition and progress of education.

Every two years, Iowa participates in NAEP assessments in reading and mathematics at the fourth and eighth grades. Iowa uses NAEP results to compare our students' performance over time and to the performance of students nationally. In Iowa, NAEP scores are available at the state level; no individual student, school, or district level results are available.

Scoring

NAEP mathematics and reading results are reported on a 0–500 scale. Because NAEP scales are developed independently for each subject and for each content area within a subject, the scores cannot be compared across subjects. In addition to the scale scores and based on recommendations from policymakers, educators, and members of the general public, specific achievement levels are set for each subject area and grade. Achievement levels are performance standards showing what students should know and be able to do. They provide another perspective with which to interpret student performance. NAEP results are reported as percentages of students performing at the *Basic*, *Proficient*, and *Advanced* levels.

- Basic denotes partial mastery of prerequisite knowledge and skills that are fundamental for proficient work at a given grade.
- Proficient represents solid academic performance. Students reaching this level have demonstrated competency over challenging subject matter.
- Advanced represents superior performance.